

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In Re The Matter of an Arbitration
Between:

International Seaway Trading Corporation,

Claimant,

v.

Target Corporation,

Respondent,

**MOTION TO QUASH
SUBPOENA**

Target Corporation; Target Global Sourcing
Limited, and Target General Merchandise,

Counter-Claimants,

v.

International Seaway Trading Corporation,

Counter-Respondent.

TO: TARGET CORPORATION, THROUGH ITS COUNSEL, KERRY L. BUNDY
AND LAUREN W. LINDERMAN, FAEGRE DRINKER, 2200 WELLS FARGO
CENTER, 90 SOUTH SEVENTH STREET, MINNEAPOLIS, MN 55402-3901:

PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 45(d)(3)(ii) and (iv),
Lawrence “Larry” Satz, a non-party witness and resident of the State of Missouri, hereby
moves to quash a summons/subpeona (“Subpoena”) issued by the arbitrator in the above-
captioned Minnesota arbitration on December 15, 2020 and served upon him on December
16, 2020.

This motion to quash is made on grounds that: (1) Under the Federal Arbitration Act, 9 U.S.C. § 7, an arbitrator sitting in Minnesota has no authority to issue a subpoena for pre-hearing testimony of a non-party out-of-state witness located outside of the territorial limits set forth in Fed. R. Civ. P. 45(c); (2) This Court cannot enforce a subpoena for pre-hearing testimony of a non-party out-of-state witness located outside the territorial limits of Fed. R. Civ. P. 45(c); (3) The subpoena seeking to despose Mr. Satz's for a second time in this arbitration presents undue burden and expense on him that is disproportionate to the needs of this case. This motion is based upon the motion papers filed herewith, including the the accompanying Memorandum of Law and the Declaration of Steven C. Finley and exhibits thereto, the arguments of counsel, and all other matters in the record.

MESSERLI & KRAMER, P.A.

Dated: December 31, 2020

s/ Molly Hamilton Cawley
George R. Serdar (#99259)
Molly Hamilton Cawley (#0349781)
1400 Fifth Street Towers
100 South Fifth Street
Minneapolis, MN 55402-4218
Telephone: (612) 672-3600
gserdar@messerlikramer.com
mhamilton@messerlikramer.com

and

HENNEFER, FINLEY & WOOD, LLP
Steven C. Finley (State of CA #074391)
11 Embarcadero West,
Suite 140
Oakland, CA 94607
Telephone: (510) 272-0200 ext. 305
sfinley@finleylaw.biz
Pro Hac Vice application pending

ATTORNEYS FOR LAWRENCE SATZ

2213026.v1